

REMARKS

Favorable reconsideration of the application is respectfully requested in light of the amendments and remarks herein.

Upon entry of this amendment, claims 1-13 will be pending. By this amendment, claim 1 has been amended and claims 49-61 have been canceled. No new matter has been added.

Allowable Subject Matter of Claims 1-13

It appreciatively noted that claims 1-13 would be allowable if lines 14, 15 and 17-19 were properly indented so that the elements of lines 14 and 15 appeared as sub-elements of the path selection means in line 13 and the elements of lines 17-19 appeared as sub-elements of the absolute value selecting means in line 16. It is assumed the Examiner was referring to the line numbers of claim 1. It was further indicated that lines 13 and 16 should also be indented so that the elements of lines 13 and 16 appear as sub-elements of each of said second probability computing means and said third probability computing means in lines 11-12.

Claim 1 has been amended accordingly. Therefore, claims 1-13 should be allowable over the cited prior art references.

§112 Rejection of Claims 49-61

In Section 2 of the Office Action, claims 49-61 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Claims 49-61 have been canceled.

Accordingly, it is submitted that the Examiner's rejection of claims 49-61 based upon 35 U.S.C. §112, first paragraph has been obviated and withdrawal thereof is respectfully requested.

§112 Rejection of Claims 50-61

In Section 3 of the Office Action, claims 50-61 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 50-61 have been canceled.

Accordingly, it is submitted that the Examiner's rejection of claims 50-61 based upon 35 U.S.C. §112, second paragraph has been obviated and withdrawal thereof is respectfully requested.

Objections to the Specification

In Section 4 of the Office Action, it is stated, "Claim 1 recites new matter, 'A computer program, stored on a tangible recording medium, aimed at maximum likelihood decoding, the program comprising executable instructions that cause a computer to'". It is assumed this statement refers to claim 49, based on the quoted language and the sentence following the quote, namely, "Nowhere in the specification does the Applicant recite any computer program for carrying out the method of claim 49." Claims 49-61 have been canceled.

Accordingly, it is submitted that the objections to the Specification have been obviated and withdrawal thereof is respectfully requested.

§ 101 Rejection of Claims 49-61

In Section 6 of the Office Action, claims 49-61 stand rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 49-61 have been canceled.

Accordingly, it is submitted that the Examiner's rejection of claims 49-61 based upon 35

U.S.C. §101 has been obviated and withdrawal thereof is respectfully requested.

§ 103 Rejection of Claims 49-51

On Page 8, Section 1 of the Office Action, claims 49-51 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Van Stralen *et al.* (U.S. Patent 6,304,996 B1; hereinafter referred to as “Van Stralen”) in view of Yamanaka *et al.* (U.S. Patent 6,330,684 B1; hereinafter referred to as “Yamanaka”). Claims 49-51 have been canceled.

Accordingly, it is submitted that the Examiner’s rejection of claims 49-51 based upon 35 U.S.C. §103 has been obviated and withdrawal thereof is respectfully requested.

§ 103 Rejection of Claims 52 and 53

On Page 8, Section 2 of the Office Action, claims 52 and 53 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Van Stralen and Yamanaka in view of Benedetto *et al.* (S. Benedetto, D. Divsalar, G. Montorsi, and F. Pollara, Soft-Output Decoding Algorithms in Iterative Decoding of Turbo Codes, TDA Progress Report 42-124, NASA Code 315-91-20-20-53; hereinafter referred to as “Benedetto”). Claims 52 and 53 have been canceled.

Accordingly, it is submitted that the Examiner’s rejection of claims 52-53 based upon 35 U.S.C. §103 has been obviated and withdrawal thereof is respectfully requested.

§ 103 Rejection of Claims 54, 57, 58, 60, and 61

On Page 9, Section 3 of the Office Action, claims 54, 57, 58, 60, and 61 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Van Stralen, Yamanaka, and Benedetto in view of XP-000888685 (“Simplified Log-Map Algorithm”, Research Disclosure, Kenneth

Mason Publications, Hampshire, GC, No. 421, May 1999, Page 612, ISSN: 0374-4353;
hereinafter referred to as “XP-000888685”). Claims 54, 57, 58, 60, and 61 have been canceled.

Accordingly, it is submitted that the Examiner’s rejection of claims 54, 57, 58, 60, and 61 based upon 35 U.S.C. §103 has been obviated and withdrawal thereof is respectfully requested.

Conclusion

In view of the foregoing, entry of this amendment, and the allowance of this application with claims 1-13 are respectfully solicited.

In regard to the claims amended herein and throughout the prosecution of this application, it is submitted that these claims, as originally presented, are patentably distinct over the prior art of record, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes that have been made to these claims were not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes were made simply for clarification and to round out the scope of protection to which Applicant is entitled.

In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicant’s representative at the telephone number written below.

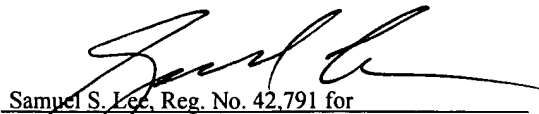
PATENT.
Serial No. 09/876,742
Attorney Docket No. 450100-03274

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account 50-0320.

Respectfully submitted,

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